

JEWSCS 09 NOV 2004

FILE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket Nos. NOR-012CP2 and 286336.151)

In re Application of: Boyd ) Examiner: Not Yet Assigned  
Serial No: 10/749,118 ) Art Unit: 1645  
Filed: December 30, 2003 )

For: NORMALIZATION OF DEFECTIVE T CELL RESPONSIVENESS THROUGH  
MANIPULATION OF THYMIC REGENERATION

\*\*\*\*\*  
CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to: 703-308-7749, Mail Stop Corrected Filing Receipt, Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450 on the date indicated below.

11/02/2004  
Date

Amanda Ripley  
Amanda Ripley

\*\*\*\*\*  
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Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

SECOND REQUEST FOR CORRECTED FILING RECEIPT and  
REPLY TO RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Sir:

The official filing receipt that was mailed on September 21, 2004 (copy attached) for the above-referenced patent application contains errors in the "Domestic Priority Data As Claimed By Applicant" and the "Foreign Applications" sections. The Response to Request for Corrected Filing Receipt mailed on September 21, 2004 (copy attached) is also addressed in this Reply.

Please amend the Domestic Priority Data As Claimed By Applicant section to read as follows:

This application is a CIP of 10/399,213 04/14/2003

which is a 371 of PCT/AU01/01291 10/15/2001

which claims benefit from AU PR0745 10/13/2000

This application 10/749,118

claims benefit of 60/527,001 12/05/2003

This application 10/749,118

is a CIP of 10/419,066 04/18/2003

which is a CIP of 09/976,599 10/12/2001 ABN

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which is a CIP of 09/966,575 09/26/2001 ABN

which is a CIP of 09/755,983 01/05/2001 ABN

which is a CIP of 09/795,286 10/13/2000 ABN

which is a CIP of AU PR0745 10/13/2000

and said 09/795,286

is a CIP of PCT/AU00/00329 04/17/2000

which claims benefit of AU PP9778 04/15/1999

and said 09/755,983

is a CIP of 09/795,302 10/13/2000 ABN

which is a CIP of PCT/AU00/00329 04/17/2000

which claims benefit of AU PP9778 04/15/1999

Please amend the "Foreign Applications" section to read as follows:

AUSTRALIA PP9778 04/15/1999

AUSTRALIA PR0745 10/13/2000

AUSTRALIA PCT/AU00/00329 04/17/2000

AUSTRALIA PCT/AU01/01291 10/15/2001

Applicant believes that the PTO Response to Request for Corrected Filing Receipt dated September 21, 2004 was mailed in error. The priority claims were part of the Specification and Application Data Sheet as filed with the application on December 30, 2003. Copies of the Application Data Sheet and the first page of the Specification as filed are attached herewith as proof of the priority claims made at the time of filing.

No fees are believed to be due in connection with this communication. However, please charge any fees are due and/or credit any overpayment to Deposit Account No. 08-0219.

Respectfully submitted,

Date:

11/2/04  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
60 State Street  
Boston, MA. 02109  
(617) 526-6000  
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Ann-Louise Kerner  
Ann-Louise Kerner, Ph.D.  
Reg. No. 33,523  
Attorney/Agent for Applicant

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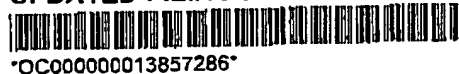
## UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPL NO.   | FILING OR 371<br>(c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO           | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|---------------------------|----------|----------|----------|
| 10/749,118 | 12/30/2003                | 1645     | 1138          | NOR-012CP2 and 286336.151 | 53       | 63       | 6        |

CONFIRMATION NO. 3277

## UPDATED FILING RECEIPT



\*OC000000013857286\*

23483

WILMER CUTLER PICKERING HALE AND DORR  
60 STATE STREET  
BOSTON, MA 02109



Date Mailed: 09/21/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Richard L. Boyd, Hampton, AUSTRALIA;

## Assignment For Published Patent Application

Monash University

Power of Attorney: The patent practitioners associated with Customer Number 23483.

## Domestic Priority data as claimed by applicant

This appln claims benefit of 60/527,001 12/05/2003  
and is a CIP of 10/419,066 04/18/2003  
which is a CIP of 09/976,599 10/12/2001  
which is a CIP of 09/966,575 09/26/2001 ABN  
which is a CIP of 09/755,983 01/05/2001 ABN  
which is a CIP of 09/795,286 10/13/2000 ABN  
which is a CIP of 09/795,302 10/13/2000 ABN

## Foreign Applications

AUSTRALIA PP9778 04/15/1999  
AUSTRALIA PP0745 10/13/2000  
AUSTRALIA PCT/AU00/00329 04/17/2000  
AUSTRALIA PCT/AU01/01291 04/18/2002

WILMER CUTLER PICKERING  
HALE and DORR LLP DOCKETING  
RE: 286336.1511281  
Action Date: 10-21-04  
Action to be Taken: File Pkt  
Docketed By: BLB On: 9-27-04

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If Required, Foreign Filing License Granted: 04/29/2004

The number of your priority application, to be used for filing abroad under the Paris Convention is,

**US10/749,118****Projected Publication Date: 12/30/2004****Non-Publication Request: No****Early Publication Request: No****\*\* SMALL ENTITY \*\*****Title**

Normalization of defective T cell responsiveness through manipulation of thymic regeneration

**Preliminary Class**

435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15****GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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| APPLICATION NUMBER | FILING OR 371(c) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE       |
|--------------------|-----------------------|-----------------------|------------------------------|
| 10/749,118         | 12/30/2003            | Richard L. Boyd       | NOR-012CP2 and<br>286336.151 |

23483  
WILMER CUTLER PICKERING HALE AND DORR LLP  
60 STATE STREET  
BOSTON, MA 02109

CONFIRMATION NO. 3277

OC000000013857262

Date Mailed: 09/21/2004

## RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

## Domestic Continuity and Foreign Priority

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:



The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.



Continuity claimed under 35 U.S.C. § 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.



A claim for priority cannot be made based on an application filed after the application making the claim.



Domestic benefit and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 U.S.C. § 111(b)(7) and 37 CFR 1.53(c)(4).



A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.



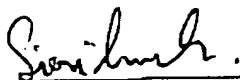
Foreign priority will appear on the Filing Receipt in the following order: **Country, Application number, Filing date.**



This application is the result of a conversion from a provisional application. Priority based on such application cannot be made since it no longer exists as a provisional application.

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- ☐ The application(s) to which priority is claimed were filed over a year prior to the filing date of this application. Therefore, the referenced application(s) cannot be claimed as domestic or foreign priority.
- ☐ To change the benefit claim of a U.S. prior-filed application, applicant must amend the first sentence the specification (if the benefit claim is referenced in the specification), or provide a supplemental application data sheet (ADS) (if the benefit claim was submitted in an ADS), with the desired benefit claim. Note that once a benefit claim is deleted, applicant will not be able to claim such prior-filed application again, if the above-identified application was filed on or after November 29, 2000.
- ☐ To change a foreign priority claim, applicant must submit a supplemental oath or declaration (if the priority claim is referenced in the oath or declaration), or a supplemental application data sheet (ADS) (if the priority claim was submitted in an ADS), with the desired priority claim. If a supplemental ADS is submitted, any deletions should be shown with strikeouts. Note that once a priority claim is deleted, applicant will not be able to claim such foreign application again, if the above-identified application filed on or after November 29, 2000.



Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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Patent

Attorney Docket No.: NOR-012CP2/286336.151

Express Mail Label No.: EV 207559656 US

Date of Deposit: December 30, 2003

**NORMALIZATION OF DEFECTIVE T CELL RESPONSIVENESS THROUGH  
MANIPULATION OF THYMIC REGENERATION**

**CROSS-REFERENCE TO RELATED APPLICATIONS**

5 This application is a continuation-in-part of U.S. Serial No. 10/399,213, filed April 14, 2003, which is a national phase filing of PCT AU01/01291, filed October 15, 2001, which is a PCT filing of AU provisional application PR0745, filed October 13, 2000. This application is also a continuation-in-part of U.S. Serial No. 60/527001, filed December 5, 2003. This application is also a continuation-in-part of U.S. Serial No. 10/419,066 filed April 18, 2003, 10 which is a continuation-in-part of U.S. Serial No. 09/976,599 filed October 12, 2001, which is a continuation-in-part of U.S. Serial No. 09/966,575 filed September 26, 2001 (abandoned), which is a continuation-in-part of U.S. Serial No. 09/755,983, filed January 5, 2001 (abandoned), which is a continuation-in-part of U.S. Serial No. 09/795,286, filed October 13, 2000 (abandoned), which is a continuation-in-part of AU provisional application PR0745, filed October 13, 2000, 15 and of U.S. Serial No. 09/795,302, filed October 13, 2000 (abandoned), which is a continuation-in-part of PCT AU00/00329, filed April 17, 2000, which is a PCT filing of AU provisional application PP9778 filed April 15, 1999. Each of these applications is hereby incorporated by reference.

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**FIELD OF THE INVENTION**

The invention relates to the field of immunology. More particularly, the invention relates to the improvement and/or alleviation of autoimmune disease and allergy.

**BACKGROUND**

25

**THE IMMUNE SYSTEM**

The major function of the immune system is to distinguish "foreign" (that is derived from any source outside the body) antigens from "self" (that is derived from within the body) and respond accordingly to protect the body against infection. In more practical terms, the immune response has also been described as responding to "danger" signals. These "danger" signals may